

Frequently Asked Questions

What is the difference between a Juvenile Delinquent and a Youthful Offender? A juvenile is child between the ages of seven and seventeen who has been charged with a crime. The complaint is filed in juvenile court and the case is heard before a 6 person jury or a judge in a courtroom that is closed to the public. At the hearing of the case, the Court may continue the case without a finding or adjudicate the child delinquent and either: (a) place the case on file; (b) place the child on probation; or (c) commit the child to the Department of Youth Services until his eighteenth birthday. A Youthful Offender is a person who is between the ages of fourteen and seventeen who has been charged with a felony and who also has one of the following present:

- a. a previous commitment to the Department of Youth Services;
- b. the person is charged with a crime which involves the infliction or threat of serious bodily harm; or
- c. the person is charged with a crime which involves certain weapons offenses

The District Attorney may proceed by complaint in juvenile court or by indictment. If indicted, the case is heard before a 12 person jury or a judge in a courtroom that is open to the public. If a child is adjudicated a youthful offender, the Court may impose one of the following:

- a. a sentence provided by law (which means a commitment to the House of Correction or a state prison);
- b. a combination sentence (which means a DYS sentence plus an adult suspended sentence); or
- c. a commitment to the Department of Youth Services until the age of twenty one.

What does it mean to be “committed” to the Department of Youth Services? Once a juvenile is placed in the custody of the Department of Youth Services they will receive treatment and partake in programming. Juveniles are also supervised by a Department of Youth Services Caseworker who monitors their progress and makes recommendations for future programming.

What happens to a juvenile when they are committed to the Department of Youth Services? Upon commitment to DYS, each juvenile is assessed to determine what programs and treatment are appropriate. Treatment and services are provided to each juvenile in order to ensure a successful transition back to the community.

Does this mean they will be in a secure facility until their 18th or 21st birthday? In accordance with the DYS Classification Grid, a juvenile may spend a portion of his/her commitment in a secure facility and then progress through programs that enable the youth's return to the community.

What happens to a juvenile once he/she is released to the community? Prior to being released to the community, all youths must sign a Grant of Conditional Liberty Agreement contract. This agreement lists the general terms and conditions of the juvenile's release. While in the community, each youth is supervised by a DYS caseworker and must maintain contact with them.

How do I receive information on a juvenile offender who has been committed to DYS? To receive notice of release for a juvenile offender who has been adjudicated delinquent and committed to DYS, victims must file a Juvenile Offender Notification and Information (JONI) application with the Victim Services Unit. To receive notice of release for a youthful offender who has been adjudicated and committed to DYS, victims must file an Application for Notice of An Offender's Release with the Criminal History Systems Board Victim Services Unit. Once certified, the DYS Victim Services Unit will provide all notification.

What information will I receive? Certified individuals will receive advance verbal and written notice of the juvenile's transfer to a less secure facility, temporary or provisional release and final discharge from DYS custody. Notification will also be provided in the event of an escape.